



ANNO NONO

ELIZABETHAE II REGINAE

A.D. 1960

No. 17 of 1960

An Act to amend the Justices Act, 1921-1957.

[Assented to 8th September, 1960.]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows :

Short titles

1. (1) This Act may be cited as the "Justices Act Amendment Act, 1960".

(2) The Justices Act, 1921-1957, as amended by this Act, may be cited as the "Justices Act, 1921-1960".

(3) The Justices Act, 1921-1957, is hereinafter referred to as "the principal Act".

Incorporation.

2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act.

**Amendment of s. 57a of principal Act—
Procedure for plea of guilty to be entered in writing.**

3. Section 57a of the principal Act is amended—

(a) by inserting after the words "Where a member of the police force" in the first line of subsection (1) thereof the words "or any other public officer" ;

(b) by substituting for the words "or a solicitor or a police officer" in subsection (2) thereof the words "for any State or Territory of the Commonwealth or a solicitor duly admitted and entitled to practise as such in any State or Territory of the Commonwealth or a police officer of any such State or Territory".

(c) by striking out paragraph (c) of subsection (4) thereof and inserting in lieu thereof the following paragraphs :—

(c) If the complainant specified in the complaint is a member of the police force, service on a member of the police force at the police station at which the complainant is stationed shall be deemed to be service on the complainant, but if the complainant so specified is any other public officer, service at the office of that public officer on a person apparently employed therein shall be deemed to be service on the complainant.

(d) Service at the office of the clerk of the court of summary jurisdiction specified in the summons on a person apparently employed therein, shall be deemed to be service on the clerk ;

(d) by striking out the words “within the meaning of” in the fourth line of subsection (8) thereof and inserting in lieu thereof the passage “or, as the case may be, some other public officer lawfully acting pursuant to” ; and

(e) by adding after subsection (10) thereof the following subsection :—

(11) In this section “public officer” means a person acting in his official capacity as an officer or employee

(a) of the Government of the Commonwealth or of any instrumentality thereof ; or

(b) of the Government of the State or of any instrumentality thereof ; or

(c) of a Municipal Council or a District Council ; or

(d) of a county board constituted under or pursuant to the Food and Drugs Act, 1908-1954, or the Health Act, 1935-1960, or declared to be a county board by the Health Act, 1935-1960 ; or

(e) of a local board of health constituted pursuant to the Health Act, 1935-1960.

Amendment of
s. 62c of
principal Act—
Power of
court in the
absence of
defendant to
imprison or to
suspend
driving licence.

4. Section 62c of the principal Act is amended by inserting after subsection (3) thereof a subsection as follows :—

(3a) If it appears to the court that, after making due inquiry and exercising reasonable diligence, the clerk of the court was unable to give a defendant the notice referred to in subsection (2) of this section, the court may, notwithstanding any other provision of this section, proceed to determine the question of penalty and make its order thereon as fully and effectually as if the defendant had been duly given the notice.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

J. M. NAPIER, Lieutenant-Governor.